

S. R. No. 779—By Senator Schwartz: Extending welcome to Miss Ann Koebig.

S. R. No. 780—By Senator Herring: Extending welcome to teacher and students, Florence Junior High School.

S. R. No. 781—By Senator McKool: Extending welcome to Sam Dougherty and Fred Bruner.

S. R. No. 782—By Senators Herring and Hightower: Extending appreciation to William E. "Rooster" Andrews.

S. R. No. 783—By Senator Wilson: Naming William Maurice Harris, Jr., as honorary page of The Senate, 62nd Legislature.

S. R. No. 786—By Senator Watson: Extending welcome to Mrs. Maurice Frederick, et al.

Adjournment

On motion of Senator Aikin the Senate at 12:25 o'clock p.m., adjourned until 10:00 o'clock a.m. tomorrow.

FORTY-FOURTH DAY

(Thursday, March 25, 1971)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present:

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Message From the House

Hall of the House of Representatives
Austin, Texas,
March 25, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House refused to concur in Senate amendments to House Bill No. 198 and has requested the appointment of a Conference Committee to consider the differences between the two Houses.

Conferees: Nichols, Chairman; Parker of Jefferson, Jungmichael, Sherman and Traeger.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Reports of Standing Committees

Senator Ratliff submitted the following report for the Committee on Banking:

S. B. No. 473.

Senator Herring submitted the following report for the Committee on Jurisprudence:

S. C. R. No. 20.

Senator Blanchard submitted the following report for the Committee on Insurance:

S. B. No. 432 (Amended).

Senator Patman submitted the following report for the Committee on Agriculture and Livestock:

C. S. S. B. No. 398 (Read first time).

Senator Moore submitted the following reports for the Committee on State Affairs:

C. S. S. B. No. 191 (Read first time).

S. B. No. 470.

C. S. S. B. No. 77 (Read first time).

S. B. No. 471.

S. B. No. 472.

S. B. No. 384.

S. B. No. 494 (Amended).

S. B. No. 573.

C. S. S. B. No. 521 (Read first time).

S. B. No. 412.

S. B. No. 475.

S. B. No. 772.

S. C. R. No. 34.

Message From the Governor

The following message received from the Governor was read and referred to the Committee on Nominations:

Austin, Texas,
March 25, 1971.

To the Senate of the Sixty-Second Legislature:

I ask the advice, consent, and confirmation of the Senate with respect to the following appointment:

To be a Member of the Coordinating Board, Texas College and University System: To fill the unexpired term of Manuel C. DeBusk, of Dallas, Dallas County, term to expire August 31, 1975: Robert W. Baker, of Houston, Harris County.

Respectfully submitted,
PRESTON SMITH,
Governor of Texas.

Senate Concurrent Resolution 67

Senator Watson offered the following resolution:

S. C. R. No. 67, Providing for the appointment of an interim committee to study laws regarding marking and branding of livestock.

The resolution was read and was referred to the Committee on Administration.

Resolution Signed

The President Pro Tempore announced the signing by the President

in the presence of the Senate after the caption had been read, the following enrolled resolution:

S. C. R. No. 62.

House Bill 235 on Second Reading

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 235, A bill to be entitled "An Act establishing the duties of public school principals; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 235 on Third Reading

Senator Mauzy moved that Senate Rule 30 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 235 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Grover
Bates	Hall
Beckworth	Harrington
Bernal	Harris
Blanchard	Herring
Bridges	Hightower
Brooks	Jordan
Christie	Kennard
Connally	Kothmann
Creighton	Mauzy

McKool	Snelson
Moore	Wallace
Patman	Watson
Ratliff	Wilson
Schwartz	Word
Sherman	

Leave of Absence

Senator Christie was granted leave of absence for the remainder of today on account of important business on motion of Senator Aikin.

Committee Substitute Senate Bill 51 on Second Reading

The President Pro Tempore laid before the Senate as unfinished business C. S. S. B. No. 51.

Question—Shall C. S. S. B. No. 51 be passed to engrossment?

Senator McKool offered the following amendment to the bill:

Amend the Committee Substitute for Senate Bill No. 51 by changing "Subdivision 5" to "Subdivision 6" on line 49, page 11, and by inserting the following new Subdivision 5 immediately preceding that line:

"Subdivision 5. (a) Within 90 days after this section takes effect, the registrar in each county shall take the necessary steps to have each postmaster in his county furnish him with the residential change-of-address information service available to election boards and registration commissions under United States Post Office Department regulations. The registrar shall request the information on all residential mail patrons within the county, retroactive to the date which the registrar deems suitable, but not earlier than the effective date of this section, to enable him to correct the registration records for the first quadrennium on voters who have moved after registering. He shall request that the information thereafter be furnished on a monthly basis, and from time to time he shall take whatever action is necessary to keep the request for this service in an active status at all times. Immediately after this section takes effect, the secretary of state shall issue instructions to each registrar on how to proceed to obtain the service.

"(b) Except as provided in Paragraph (c) of this subdivision, the registrar and his employees may not use or permit any other person to

use the information received from the post office for any purpose other than correcting the registration records and lists of registered voters maintained in his office. A violation of this provision is a misdemeanor.

"(c) Where a post office serves patrons living in more than one county, the postmaster and the registrars of the different counties shall agree upon an arrangement for furnishing all the change-of-address cards to one or the other of the registrars or for separating the cards and furnishing them to the several registrars in accordance with a stipulated plan. Within 30 days after a registrar receives the cards from the post office, he shall transcribe the information with respect to each person who resides in a different county onto a form prescribed by the secretary of state, or shall duplicate or reproduce the information in some other manner agreeable to the postmaster and approved by the secretary of state, and shall forward it to the registrar of the county in which the person resides. Each registrar shall assemble the necessary data to enable him to determine with reasonable accuracy in which county a person lives from his address or rural route address. Where the patron was receiving his mail at a post office box, the registrar receiving the information initially shall check his files to identify the patron as a registered voter insofar as he is able to do so, and shall forward the change-of-address information on all unidentified patrons to the registrar of the other county. He shall also follow this procedure in other doubtful cases.

"(d) If a person requesting a permanent change of address is registered as a voter, or where the change of address is requested for an entire family, if any other person having the same surname and address is registered, the registrar shall send a notice to each such person at the address on the registration record and at the new address furnished on the change-of-address form, requesting him to verify his current residence address and informing him of the necessity for changing the registration records if there has been a change in his legal residence. The notice shall state that the voter's registration will be cancelled if the registrar does not receive a reply within 30 days from the date on which the notice is mailed. If the voter replies to the notice, the registrar shall take the appropriate

action indicated by the reply. If no reply is received, the registrar shall cancel the registration and shall notify the voter of the cancellation by registered or certified mail at the address given on the change-of-address form with a return receipt requested. The registrar shall reinstate the registration if within 30 days after the cancellation the voter furnishes information showing that he is still eligible for registration in that county. The notice of cancellation shall inform the voter of this right to reinstatement.

"(e) Where a postal patron was receiving his mail at a post office box rather than a street address or a rural route address, the registrar shall undertake to identify the patron as a registered voter by checking the alphabetical precinct or county files for the same or a similar name. Where more than one person of the same or similar name is registered, the registrar shall use his discretion in pursuing his effort to identify the patron.

"(f) The secretary of state shall keep the registrars informed of any changes in postal regulations which affect the procedures for utilizing the change-of-address service as a means for updating the registration records. If a change in postal regulations makes any of the procedures outlined in this subdivision impracticable, the secretary of state is authorized to devise new procedures and to issue directives putting them into effect, with a view to utilizing the service in the most effective manner to obtain the full benefit of the information furnished."

The amendment was read and was adopted.

Senator McKool offered the following amendment to the bill:

Amend the Committee Substitute for Senate Bill No. 51 by adding the following language immediately after the sentence which ends on line 51, page 1 of the substitute bill as reported (line 43, page 1 of the substitute bill as printed): "The county clerk shall transmit a copy of the order to the secretary of state within five days after its adoption. The appointed registrar shall be commissioned by the governor in the same manner as other county officers."

The amendment was read and was adopted.

Senator McKool offered the following amendment to the bill:

Amend the Committee Substitute for Senate Bill No. 51 as follows:

(1) Insert the following sentence between line 30 and line 31 on page 4: "Notwithstanding the provisions of Section 42a of this code, a person may register at any time during this period if he has already attained the qualifications required by Section 42a or will attain them by the beginning of the first quadrennium."

(2) Insert the following sentence immediately after the word "falls." on line 1, page 5: "A registration on or after the first day of October preceding each new quadrennium and more than 30 days before the end of the current quadrennium is also effective for the succeeding full quadrennium."

(3) On line 31, page 12, insert between the word "person" and the comma which follows it the words "who registered before October 1 that year."

The amendment was read and was adopted.

Senator McKool offered the following amendment to the bill:

Amend the caption of the Committee Substitute for Senate Bill No. 51 by striking the language "amending Sections 51b and 53a (Articles 5.19b and 5.21a);" on lines 20 and 21, page 1 of the substitute bill as reported (lines 12 and 13, page 1 of the substitute bill as printed), and substituting the following: "Amending Sections 51b, 52a, and 53a (Articles 5.19b, 5.20a, and 5.21a);".

The amendment was read and was adopted.

Senator McKool offered the following amendment to the bill:

Amend the Committee Substitute for Senate Bill No. 51 as follows:

(1) On line 55, page 19, change the semicolon after the words "United States" to a comma and insert the following immediately after the comma: "or if in any other manner the ruling of the district court that Article VI, Section 2 of the Constitution of Texas violates the Constitution of the United States becomes final;"

(2) On line 1, page 20, insert a comma after the words "Supreme

Court" and insert the following immediately after the comma: "the court of appeals,".

The amendment was read and was adopted.

Senator Creighton offered the following amendment to the bill:

Amend Committee Substitute for S. B. No. 51 by striking Sections 2 and 3 and by renumbering all subsequent sections accordingly.

The amendment was read.

Senator McKool moved to table the amendment.

Question on the motion to table, "Yeas" and "Nays" were demanded.

The motion to table was lost by the following vote:

Yeas—5

Bernal	McKool
Kothmann	Schwartz
Mauzy	

Nays—25

Aikin	Hightower
Bates	Jordan
Beckworth	Kennard
Blanchard	Moore
Bridges	Patman
Brooks	Ratliff
Connally	Sherman
Creighton	Snelson
Grover	Wallace
Hall	Watson
Harrington	Wilson
Harris	Word
Herring	

Absent

Christie

Question recurring on the adoption of the amendment, the amendment was adopted.

Senator Creighton offered the following amendment to the bill:

Amend Committee Substitute for S. B. No. 51 in the following respects:

(1) Delete line 50, page 9, through line 6, page 10, and substitute the following:

"Subdivision 4. Verification of registration. On each day that an election is held, the registrar shall keep

his office open from 8 a.m. until the hour set by law for closing the polls. When a voter who does not present his registration certificate to the election officers and whose name does not appear on the list of registered voters claims to be registered in the precinct where he offers to vote or claims to be erroneously registered in some other precinct, he shall not be permitted to vote unless the presiding judge received a verification of his registration. The presiding judge shall instruct the voter to contact the registrar, either in person or by telephone, to obtain a verification. If the registrar finds that the voter is registered, he shall communicate this information to the presiding judge either by telephone or by a written, signed memorandum, authenticated by the seal of his office, which he delivers to the voter for transmission to the presiding judge. Any toll for a telephone call to the presiding judge shall be borne by the registrar's office, but any other expense incidental to the verification shall be borne by the voter."

(2) Insert a quotation mark at the end of the sentence on line 31, page 10, and delete lines 32 through 37, page 10.

(3) Delete line 47, page 16, through line 29, page 17, and substitute the following:

"Subdivision 1. When a voter presents himself at the polling place, he shall announce his name to the election officer. The election officer shall repeat the voter's name in an audible voice and shall ascertain that his name appears on the list of registered voters or shall satisfy himself, in the manner stated in Section 48a of this code, that the voter is a registered voter and is entitled to vote in that precinct.

"Subdivision 2. When a voter is accepted for voting, the election officer shall place a notation on the list of registered voters showing that he has voted and shall enter the voter's name on the poll list. He shall require the voter to sign his name on the signature roster provided for in Subdivision 3 of this section, in the same form that the name appears on the registration records. The voter shall then select his ballot and shall immediately retire to a voting booth or a place prepared for voting by the election officers, and there prepare

his ballot in the manner provided by law.

"Subdivision 3. There shall be kept at each polling place a signature roster of persons voting at the election. When a voter is accepted for voting, he shall sign his name on the roster in a space numbered to correspond with the number by his name on the poll list. If a voter is unable to sign his name, the election officer shall make a notation of that fact on the roster in the space which corresponds with the number of the voter's name on the poll list, stating whether the voter is unable to sign because of physical disability, blindness, or illiteracy. After the election is over, the signature roster shall be returned with the copy of the poll list which is intended for public inspection and shall be preserved under the same rules as the poll list."

(4) Delete Section 20 (line 52, page 17, through line 13, page 18), and renumber all subsequent sections accordingly.

(5) On line 24, page 19, change "44a and 55" to "44a, 55, and 89"; and on line 25, page 19, change "5.12a and 5.23" to "5.12a, 5.23, and 8.07".

The amendment was read.

Senator McKool moved to table the amendment.

Question on the motion to table, "Yeas" and "Nays" were demanded.

The motion to table prevailed by the following vote:

Yeas—16

Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Bridges	McKool
Hall	Schwartz
Harrington	Wallace
Hightower	Watson
Jordan	Wilson

Nays—14

Aikin	Herring
Blanchard	Moore
Brooks	Patman
Connally	Ratliff
Creighton	Sherman
Grover	Snelson
Harris	Word

Absent

Christie

Senator Creighton offered the following amendment to the bill:

Amend Committee Substitute for S. B. No. 51 in the following respects:

(1) On page 4, line 10, change "30 days" to "60 days."

(2) Strike line 18 on page 5 through line 20 on page 6 and substitute the following:

"45a. Mode of Applying for Registration

"Subdivision 1. Except as provided in Subdivision 4 of this section, all applications for registration shall be made in person before the registrar or an authorized deputy.

"Subdivision 2. Anyone desiring to register in person shall make application to the registrar or an authorized deputy, who shall put the applicant under oath and inform him that any willful false statement he makes will subject him to prosecution for false swearing. The applicant shall then swear to the facts required by Section 45b of this code, and his answers shall be recorded on the application form in his presence by the person registering him, in permanent writing or typewriting. The applicant shall sign the application with his name at length, as recorded on the form (except that the designation of Miss or Mrs. may be omitted), if he is able to write.

"Subdivision 3. When the application form is completed and signed and the registrar is satisfied that the applicant is entitled to register, the registrar shall make out a registration certificate as prescribed in Section 46a of this code and shall deliver or mail the original certificate to the applicant. Preparation of the certificate may be deferred until a later time whenever the registrar deems that it is more practicable to do so, but a certificate which is not made out and delivered to the applicant immediately after completion of the application must be mailed to him in time to be received before the date on which it becomes effective. A certificate which is mailed to the applicant must be mailed to him at his permanent address or at an address where he is temporarily living, and must not be mailed to any other address.

"Subdivision 4. (a) If any person eligible to register is unable to register in person at the registrar's office by reason of sickness or physical

disability, the registrar may register the applicant at his place of abode, if practicable, in the same manner as if he had appeared at the registrar's office. If this is not practicable, the person may register in the following manner. He shall make a request in writing to the registrar for an application form, and the registrar shall furnish the applicant with a copy of the form, upon which the applicant shall provide the information necessary for registration. The form furnished to the applicant shall contain the following, in addition to the information and statements prescribed in Section 45b: 'Because of sickness or physical disability I am unable to register in person. The nature of the sickness or physical disability is'. The applicant shall sign and swear to the application before an officer authorized to administer oaths, and shall return it to the registrar.

"(b) If any person eligible to register is absent from the county of his residence and expects to be absent on all days allowed by law for registration prior to 30 days preceding the next election, he may register in the manner outlined in the preceding paragraph, and the application form shall contain the following: 'I am unable to register in person because I am absent from the county of my residence and expect to be absent on all days allowed by law for registration prior to 30 days preceding the next election.'

"(c) When the completed application is received by the registrar, he shall prepare a registration certificate and mail the original certificate to the voter in the manner provided in Subdivision 3 of this section."

(3) Strike line 24 on page 6 through line 12 on page 7 and substitute the following:

"45b. Information Required on Application

"Subdivision 1. The application form shall show the following information:

"1. Name at length, including given name and a middle name or initial, or if the initial of the first given name is customarily used, then the initial and middle name. The given name of a woman shall be preceded in all cases with the designation of Miss or Mrs.

"2. A statement of the applicant's age. If the applicant has not attained 21 years of age, the application shall show his date of birth by month, day, and year. If the applicant has already attained the age of 21 years, it is sufficient for the applicant to state that he is over that age.

"3. A statement of the date on which the applicant became a resident of the state and of the county, and also of the city or town if he resides in an incorporated city or town. If the applicant has resided in the state for more than one year, or in the county or city for more than six months, a statement of the year in which the residence began is sufficient, but for any required period of residence which he has not yet fulfilled, the application shall show by month, day, and year the date on which the residence began.

"4. Place of residence, giving his street address if he has one, and if he does not, his postal route and box number, with such additional information as the registrar needs to enable him to determine the applicant's voting precinct. The applicant shall also state the mailing address at which notices are to be sent to him, if different from the listed residence address. If the applicant is living at some location other than the place of claimed residence, the application shall show the ground on which he claims entitlement to vote at the place of claimed permanent residence.

"5. Occupation.

"6. A statement that the applicant is a citizen of the United States.

"7. State or country of birth. If foreign born, how citizenship was acquired, whether by: citizenship of father, treaty, act of Congress, order of a court of naturalization, marriage to a citizen, or naturalization of a parent or husband. The date when and the place where the applicant became a citizen shall be stated except in the case of citizenship acquired by citizenship or naturalization of parents, by treaty, or by act of Congress. When citizenship depends upon the citizenship or naturalization of parent or husband, the name of the parent or husband shall be stated.

"8. Where he was last registered as a voter and the last year in which he was registered, if he has been previously registered, and his last resi-

dence address at the place where he was registered if the last year of registration was within the preceding four years.

"9. That the applicant is not disqualified to vote by reason of having been adjudged mentally incompetent under a judgment which is still in effect, or by reason of having been convicted of a felony without having been restored to full citizenship or pardoned.

"10. Whether the applicant is able to write his name, and whether he has any physical disability by reason of which he cannot mark the ballot, in which case the nature of such disability shall be stated; and also whether he has any permanent disability which prevents his being able to appear at a polling place to vote.

"Subdivision 2. The application form shall contain a space for the applicant's signature. It shall also contain a space for recording the applicant's social security number, and the registrar may require the applicant to give his social security number if he has one. Requirement of this information is optional with each registrar.

"Subdivision 3. The secretary of state shall prescribe an application form meeting the requirements of this section, and the form shall be used by the registrar in each county of the state."

The amendment was read.

Senator McKool moved to table the amendment.

Question on the motion to table, "Yeas" and "Nays" were demanded.

The motion to table was lost by the following vote:

Yeas—15

Beckworth	Kothmann
Bernal	Mauzy
Bridges	McKool
Hall	Schwartz
Harrington	Wallace
Hightower	Watson
Jordan	Wilson
Kennard	

Nays—15

Aikin	Connally
Bates	Creighton
Blanchard	Grover
Brooks	Harris

Herring	Sherman
Moore	Snelson
Patman	Word
Ratliff	

Absent

Christie

Question recurring on the adoption of the amendment, "Yeas" and "Nays" were demanded.

The amendment failed of adoption by the following vote:

Yeas—15

Aikin	Herring
Bates	Moore
Blanchard	Patman
Brooks	Ratliff
Connally	Sherman
Creighton	Snelson
Grover	Word
Harris	

Nays—15

Beckworth	Kothmann
Bernal	Mauzy
Bridges	McKool
Hall	Schwartz
Harrington	Wallace
Hightower	Watson
Jordan	Wilson
Kennard	

Absent

Christie

On motion of Senator McKool and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Record of Votes

Senators Blanchard, Creighton, Connally, Harris, Grover, Ratliff, Herring and Snelson asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

(President in Chair.)

Message From the House

Hall of the House of Representatives
Austin, Texas,
March 25, 1971.
Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 70, Authorizing the Parks and Wildlife Department to locate its offices at McKinney Falls State Park; directing the State Building Commission to provide planning assistance; and authorizing expenditures of funds as may be appropriated by the Parks and Wildlife Commission.

All necessary rules suspended, and the House concurred in Senate amendments to House Bill No. 453 by a vote of 140 Ayes, 1 No.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Resolution 796

Senator Blanchard offered the following resolution:

Whereas, We are honored today to have as a distinguished visitor in the Senate, James (Jim) Anthony Carlen III, named the Southwest Conference "Coach of the Year" by both the Associated Press and the Dallas Morning News; and

Whereas, At the age of 37, Coach Carlen, Head Football Coach at Texas Tech University, is one of the youngest and most successful head coaches of a major collegiate football team in the Nation; and

Whereas, In this first year at Texas Tech, Coach Carlen led the Red Raiders in a successful 8-4 season, which included an appearance at the Sun Bowl against Georgia Tech; and

Whereas, He also led the West Virginia Mountaineers, champions of the 1969 Peach Bowl game with South Carolina, in a season of 10 wins and one loss; and

Whereas, He has played or coached in a total of 11 bowl contests; and during his distinguished career, Jim Carlen has compiled a record of 55 wins, 18 losses, and four ties; and

Whereas, Coach Carlen stands for fair and sportsmanlike play both on and off the gridiron, and he has been instrumental in the formation of chapters of the Fellowship of Christian Athletes at Texas Tech and at several high schools in West Texas; and

Whereas, Jim Carlen has by precept and example acquired many staunch advocates who appreciate and

respect him for not only his coaching ability, but for his fine Christian witness; and

Whereas, His three basic rules for an athlete "go to class," "go to church," and "avoid liquor and cigarettes" have met with approval from many of the young men of Texas as evidenced by his success in the recruitment of outstanding athletes from the State of Texas and the Nation; and

Whereas, Jim Carlen has come to Texas and to Texas Tech University with a sense of urgency in directing young men and young women toward a goal of usefulness in society; now, therefore, be it

Resolved, That the Senate of the 62nd Legislature of the State of Texas recognize and commend Coach Jim Carlen on his distinguished athletic accomplishments and his many other fine contributions to the people of Texas; and, be it further

Resolved, That official copies of this Resolution be prepared under the Seal of the Senate for Jim Carlen and for the Administration of Texas Tech University as an indication of our admiration.

The resolution was read and was adopted.

The President requested Senator Blanchard to escort Coach Carlen to the President's Rostrum.

Senator Blanchard presented Coach Carlen to the Members of the Senate and requested him to address the Senate.

Coach Carlen addressed the Senate, expressing his appreciation to the Members for their service to the State and his gratitude for the opportunity to be present in the Senate today.

Bills and Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills and resolutions:

H. C. R. No. 28.

H. C. R. No. 77.

H. C. R. No. 97.

H. B. No. 76.

H. B. No. 347.

H. B. No. 348.

H. B. No. 386.

H. B. No. 493.

H. B. No. 600.

Senate Bill 527 on Second Reading

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 527, A bill to be entitled "An Act relating to the student loan program; providing for the extension of the repayment period on student loans and the promulgation of rules and regulations necessary for participation in federal student loan programs; etc., and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 527 on Third Reading

Senator Brooks moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 527 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Connally	Ratliff
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Wilson
Hightower	Word

Absent—Excused

Christie

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Beckworth
Bates	Bernal

Blanchard	Kothmann
Bridges	Mauzy
Brooks	McKool
Connally	Moore
Creighton	Patman
Grover	Ratliff
Hall	Schwartz
Harrington	Sherman
Harris	Snelson
Herring	Wallace
Hightower	Watson
Jordan	Wilson
Kennard	Word

Absent—Excused

Christie

Motion to Place Senate Bill 369 on Third Reading

Senator Mauzy moved to suspend the regular order of business and take up S. B. No. 369 for consideration at this time.

The motion was lost by the following vote: (not receiving four-fifths vote of the Members of the Senate).

Yeas—16

Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Bridges	McKool
Brooks	Patman
Harrington	Wallace
Hightower	Watson
Jordan	Wilson

Nays—10

Aikin	Herring
Blanchard	Moore
Connally	Sherman
Creighton	Snelson
Grover	Word

Absent

Hall	Ratliff
Harris	Schwartz

Absent—Excused

Christie

Committee Substitute

Senate Bill 244 on Second Reading

Senator Kennard asked unanimous consent to suspend the regular order of business and take up C. S. S. B. No. 244 for consideration at this time.

There was objection.

Senator Kennard then moved to suspend the regular order of business and take up C. S. S. B. No. 244 for consideration at this time.

The motion prevailed by the following vote:

Yeas—22

Beckworth	Hightower
Bernal	Jordan
Blanchard	Kennard
Bridges	Kothmann
Brooks	Mauzy
Connally	McKool
Creighton	Moore
Hall	Sherman
Harrington	Wallace
Harris	Watson
Herring	Wilson

Nays—8

Aikin	Ratliff
Bates	Schwartz
Grover	Snelson
Patman	Word

Absent—Excused

Christie

The President laid before the Senate on its second reading and passage to engrossment:

C. S. S. B. No. 244, A bill to be entitled "An Act relating to occupation taxes applicable to stores and mercantile establishments; providing for repeal of Chapter 17, Title 122A, Taxation General, Revised Civil Statutes of Texas, 1925, as amended; providing an effective date; and declaring an emergency."

The bill was read second time.

Senator Patman offered the following amendment to the bill:

Amend S. B. No. 244 by striking Section 1 thereof and renumbering the succeeding sections.

The amendment was read.

Question—Shall the amendment to C. S. S. B. No. 244 be adopted?

Message From the House

Hall of the House of Representatives
Austin, Texas,
March 25, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 140, A bill to be entitled "An Act relating to the creation, organization, powers, duties, and procedures of the Texas Motor Vehicle Commission; etc., and declaring an emergency."

(With Amendments.)

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Executive Session

At 11:30 o'clock a.m., Senator Christie announced that the time had arrived for an Executive Session (he having given Notice on yesterday).

Accordingly, the President directed all those not entitled to attend the Executive Session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the Executive Session the Secretary of the Senate informed the Journal Clerk that the Senate had confirmed the following nominations of the Governor:

To be the Rio Grande Compact Commissioner: For a two-year term to expire June 9, 1971: Jesse B. Gilmer, El Paso, El Paso County.

To be a Member of the Texas Animal Health Commission: For a six-year term to expire September 6, 1975: Ralph H. Flesher, Vernon, Wilbarger County; George William Apple, McKinney, Collin County.

To be a Member of the Board of Regents of Texas Tech University: For a six-year term to expire January 31, 1977: Johnny Clinton Formby, Hereford, Deaf Smith County; John James Hinchey, San Antonio, Bexar County; Bill E. Collins, Lubbock, Lubbock County.

To be a Member of the Board of Regents of the University of Houston: For a six-year term to expire August 31, 1975: Travis Camp Johnson, El Paso, El Paso County; Leonard Rauch, Houston, Harris County; James H. Greer, Houston, Harris County.

To be a Member of the Texas Commission on Alcoholism: For a term to expire June 8, 1973: Roy Hudson German, Austin, Travis County. For a six-year term to expire June 8, 1975: Donald G. Austin, Chappell Hill, Washington County; Charles A. Guy, Lubbock, Lubbock County.

To be a Member of the Governor's Committee on Aging: For a term to expire August 30, 1971: John T. King, Ph.D., Austin, Travis County. For a term to expire August 30, 1973: Dr. Arleigh Templeton, Huntsville, Walker County. For a six-year term to expire August 30, 1975: L. G. (Bill) Vawter, Houston, Harris County.

To be a Member of the Advisory Hospital Council: For a six-year term to expire July 17, 1975: Charles M. Kennedy, Texarkana, Bowie County.

To be a Member of the Good Neighbor Commission of Texas: For a term to expire June 18, 1971: Mrs. James Day, Brookshire, Waller County. For a term to expire June 19, 1973: Jack H. Drake, Weslaco, Hidalgo County. For a six-year term to expire June 18, 1975: Dorrance Herbert Guy, El Paso, El Paso County; James Weldon Thomas, Dallas, Dallas County; Earl William Gammage, Houston, Harris County.

To be Presiding Judge, 1st Administrative Judicial District: For a six-year term to expire October 26, 1973: Dallas A. Blankenship, Dallas, Dallas County.

To be a Member of the Board of Directors of the San Antonio River Authority: For a term to expire January 1, 1973: Edwin A. Flieller, Floresville, Wilson County.

To be a Member of the Texas Water Quality Board: For a term to expire September 1, 1975: Lester Clark, Breckenridge, Stephens County.

To be a Member of the American Revolution Bicentennial Commission of Texas: For a four-year term to expire August 31, 1973: Mrs. Ina May McAdams, Austin, Travis County.

To be a Member of the Board of Regents of North Texas State University: For a six-year term to ex-

pire May 22, 1971: Bruce Street, Sr., Graham, Young County. For a six-year term to expire May 22, 1975: Gus S. Wortham, Houston, Harris County; Davie James (Jim) Lawson, Dallas, Dallas County.

To be a Member of the Board of Directors of the Red River Authority of Texas: For a six-year term to expire August 11, 1971: Eugene Harry Frye, Shamrock, Wheeler County; Joe Benson Wolverton, Wichita Falls, Wichita County. For a six-year term to expire August 11, 1973: Jim Beeson, Memphis, Hall County; Virgil E. Dodson, Hereford, Deaf Smith County. For a six-year term to expire August 11, 1975: William Anderson Bond, Vernon, Wilbarger County; John Hicks Anderson, Denison, Grayson County; Walter Corbett Howard, Quanah, Hardeman County.

To be a Member of the Board of Regents of Midwestern University: For a six-year term to expire February 25, 1976: George Moffett, Vernon, Wilbarger County.

To be a Member of the Veterans Affairs Commission: For a six-year term to expire December 31, 1975: John Edward McKelvey, Electra, Wichita County.

To be a Member of the Texas Board of Architectural Examiners: For a six-year term to expire June 21, 1973: Theodore Stuart Maffitt, Jr., Palestine, Anderson County; George Horace Loving, Abilene, Taylor County. For a six-year term to expire June 21, 1975: George Swiler Sowden, Fort Worth, Tarrant County; Mace Tungate, Jr., Houston, Harris County. For a term to expire June 21, 1971: W. R. (Dede) Matthews, Bryan, Brazos County.

To be Members of the American Revolution Bicentennial Commission of Texas: For a two-year term to expire August 31, 1971: Dr. George Ruble Woolfolk, Prairie View, Waller County; Mrs. Marcella Perry, Houston, Harris County. For a four-year term to expire August 31, 1973: Sam Kinch, Sr., Austin, Travis County. For a six-year term to expire August 31, 1975: Dr. Charles Ray Ritcheson, Dallas, Dallas County; Frank Tolbert, Dallas, Dallas County.

To be Canadian River Compact Commissioner: For a two-year term to expire December 31, 1971: William Andrew Clifford, Lubbock, Lubbock County.

To be a Member of the Texas State Historical Survey Committee: For a six-year term to expire January 1, 1975: Mrs. Frederick M. Lange, Dallas, Dallas County.

To be Members of the Texas Air Control Board: For a two-year term to expire September 1, 1971: Willie Lee Ulich, Ph.D., Lubbock, Lubbock County; for a four-year term to expire September 1, 1973: William Petrus Hobby, Jr., Houston, Harris County; for six-year terms to expire September 1, 1975: Herbert Wood Whitney, Corpus Christi, Nueces County; Fred Hartman, Baytown, Harris County.

To be Members of the Coordinating Board of the Texas College and University System: For six-year terms to expire August 31, 1975: Sam D. Young, Jr., El Paso, El Paso County; James Hollers, P.D.D.S., San Antonio, Bexar County.

To be Members of the Board of Regents of the Texas State Technical Institute: For two-year terms to expire August 31, 1971: Harold Glen Tate, Austin, Travis County; Francis Verle Wallace, Amarillo, Potter County; Russell Breckenridge Watson, Jr., Tyler, Smith County; for four-year terms to expire August 31, 1973: Richard Lanier Thomas, Dallas, Dallas County; Henry Clyde Schulte, Mexia, Limestone County; Joe J. Garza, Harlingen, Cameron County; for six-year terms to expire August 31, 1975: John W. Nigliazzo, Hearne, Robertson County; John Henry Kultgen, Waco, McLennan County.

To be Members of the Board of Directors of the Lower Colorado River Authority: For six-year terms to expire January 1, 1977: Aubrey D. Voelkel, La Grange, Fayette County; Thomas C. Ferguson, Burnet, Burnet County; Roger Gilbert Zercher, Blanco, Blanco County; William C. Petri, Austin, Travis County.

To be Members of the Board of Directors of Texas A&M University: For six-year terms to expire January 10, 1977: S. B. Whittenburg, Amarillo, Potter County; H. C. (Dulie) Bell, Jr., Austin, Travis County; William (Bill) Lewie, Jr., Waco, McLennan County.

To be Members of the Antiquities Committee: For two year-term to expire January 19, 1973: Denver Fred Wendorf, Ph.D., Dallas, Dallas County; William W. Newcomb, Jr., Ph.D., Austin, Travis County; William Curry Holden, Ph.D., Lubbock, Lubbock County.

The Secretary of the Senate also informed the Journal Clerk that the following nominations of the Governor were rejected:

To be a Member of the Board of Regents of North Texas State University: For a six-year term to expire May 22, 1975: Berl E. Godfrey, Ft. Worth, Tarrant County.

To be a Member of the Texas Air Control Board: For a six-year term to expire September 1, 1975: Henry Bartell Zachry, Jr., San Antonio, Bexar County.

To be a Member of the American Revolution Bicentennial Commission of Texas: For a two-year term to expire August 31, 1971: John T. Steen, San Antonio, Bexar County.

In Legislative Session

The President called the Senate to order as In Legislative Session at 12:17 o'clock p.m.

Senate Resolution 800

Senator Hall offered the following resolution:

S. R. No. 800, Providing for the appointment by the Lieutenant Governor of a Local and Uncontested Bills Calendar Committee to be composed of seven Members of the Senate.

The resolution was read and was adopted.

Accordingly, the President announced the appointment of the following Members of the Local and Uncontested Bills Calendar Committee: Senators Hall, Snelson, Bridges, Connally, Patman, Ratliff and Word.

Memorial Resolutions

S. R. No. 791—By Senator Watson: Memorial resolution for W. M. "Pat" Taylor, Sr.

S. R. No. 793—By Senator Watson: Memorial resolution for Robert L. Blackmon.

Welcome and Congratulatory Resolutions

S. R. No. 787—By Senator Blanchard: Extending congratulations to Mr. and Mrs. Roy Wicker, Jr., on their selection as Seagraves "Farm Family of the Year."

S. R. No. 788—By Senator Blanchard: Extending congratulations to Mr. and Mrs. Garland Phillips and their son, Loren, for their devotion to their community.

S. R. No. 789—By Senator Blanchard: Extending congratulations to Arthur Griffin, Crosbyton, "Citizen of the Year."

S. R. No. 790—By Senator Watson: Commending Trenton Horton for his Service as a Texas Ranger.

S. R. No. 792—By Senator Watson: Commending Waco Regional office of Veteran's Administration on receipt of Superior Accomplishment Award.

S. R. No. 794—By Senator Snelson: Commending Mrs. J. Philip Robbins on her selection as First Lady of Fort Stockton for 1971.

S. R. No. 795—By Senator Watson: Extending welcome to Dr. Ellis Marshall, et al.

S. R. No. 797—By Senator Aikin: Extending welcome to Miss Kay Kennedy.

S. R. No. 798—By Senator Watson: Extending welcome to the Honorable Roy Sanderford.

S. R. No. 799—By Senator Watson: Extending welcome to Paul Boyd.

Adjournment

On motion of Senator Aikin the Senate at 12:19 o'clock p.m. adjourned until 11:00 o'clock a.m. Monday, March 29, 1971.

APPENDIX

Sent to Governor

March 25, 1971

S. C. R. No. 62.

FORTY-FIFTH DAY

(Monday, March 29, 1971)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present:

Aikin	Hightower
Bates	Jordan
Beckworth	Kennard
Bernal	Kothmann
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Connally	Ratliff
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Wilson

Absent—Excused

Word

A quorum was announced present.

Rabbi Samuel M. Stahl offered the invocation as follows:

"God of all mankind! Standing in this historic chamber, we recall the vision of the founders of our nation, of which Texas is a proud part. We admire their zealous dedication and pray for the fortitude never to veer from their noble aims.

"May all of us emulate their prophetic boldness, their scrupulous honesty, and their educated wisdom as we are about to grapple with the maladies plaguing us today.

—the continuing agony of non-whites in failing to achieve full recognition as authentic human beings;

—the hordes of underprivileged infants, starving in the rat-infested cribs;

—the silencing of true, but unpopular, opinions because they unsettle the 'silent majority'; and

—the desecration of our environment through negligence or through the greedy desire for gain.

"As we now are about to determine the destiny of Texas, grant us the strength to enter our debates and deliberations, without concern for the cheering of the approving masses or